



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Mail Stop: RCE**
Kazuhiro OHKOUCHI et al. : Attorney Docket No. 2004_0494
Serial No. 10/810,898 : Group Art Unit 1615
Filed March 29, 2004 : Examiner Jyothsna A. Venkat

QUICKLY DISINTEGRATING SOLID
PREPARATIONS

Confirmation No. 1097

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO 23-0975

PRELIMINARY REMARKS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Favorable reconsideration is respectfully requested in view of the concurrent filing of an RCE and the following remarks.

The Official Action dated December 19, 2006 stated that the Applicants' Rule 132 Declaration filed on September 19, 2006 is insufficient to overcome the rejection of claims 12-13 and 33 because:

- "1. Examples 2-4 recite only particle size of 45 microns (see page 2 of the Declaration).
2. Examples 2-4 do not recite particle size of 130 microns. This is also true for example
8. There is no particle diameter of 130 microns in example 8 (see page 2 of the Declaration).
3. Examples 5-7 do not recite particle size of 130 microns (see page 2 of the Declaration).
4. Examples 10-12 and 14-15 recite large particle size and the particle size mentioned at page 2 of the Declaration correspond to sugar alcohols that are pulverized. None of the claims recite that the sugar alcohols are pulverized.